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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,418	11/12/2003	Erwin Steinkirchner	10808/109	7608
48581	7590	12/28/2004	EXAMINER	
BRINKS HOFER GILSON & LIONE			BARBEE, MANUEL L	
INFINEON				
PO BOX 10395			ART UNIT	PAPER NUMBER
CHICAGO, IL 60610			2857	

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/712,418	<b>Applicant(s)</b> STEINKIRCHNER ET AL.	
	<b>Examiner</b> Manuel L. Barbee	<b>Art Unit</b> 2857	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 4-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/28/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities:

The specification should be amended to include the headings --Background of the Invention-- and --Brief Summary of the Invention-- in the appropriate places.

On page 14, paragraph 46, define the acronym SECS.

On page 15, paragraph 51, line 4 of the paragraph, delete "product 1' 411", and insert --product 1' 414--.

Appropriate correction is required.

### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Reference sign 306 referring to a local area network as shown in the specification on page 14, paragraph 46. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to because the reference number "411" referring to "product 1' " in Fig. 4 should be deleted and replaced --414--. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Objections***

4. Claims 1, 7 and 8 are objected to because of the following informalities: Claims 1, 7 and 8 should be amended to correct the lack of antecedent basis for "the hierarchical level", "the object data record" and "the stored limit values". Appropriate correction is required.

5. Claims 4-6 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims not been further treated on the merits.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3 and 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (US Patent No. 5,726,920) in view of Pellegrini et al. (US Patent No. 6,700,950).

With regard to storing process data for corresponding object data records, as shown in claims 1 and 7-9, Chen et al. teach a data collection means that collects data that can be compared with historical data (col. 3, line 55 - col. 4, line 37). With regard to comparing the stored data with stored limit values, as shown in claims 1 and 7-9, Chen et al. teach comparing the collected data with historical data to determine out-of-range conditions (col. 4, lines 15-24). Chen et al. do not teach storing an unspecific value for a hierarchical level if no specific value is found and iteratively processing the hierarchical levels of the object data record according to a predeterminable hierarchy, as shown in claims 1, and 7-9 or repeating the steps or comparing and iteratively

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processing until the processing has reached the lowest hierarchical level and using the unspecific value if no specific value is stored, as shown in claims 7-9.

Pellegrini et al. teach using wildcard data in a query for criteria in a system for controlling error (col. 6, line 63 - col. 7, line 29; col. 8, line 25 - col. 9, line 10). Pellegrini et al. teach processing each level of the hierarchy to get to a criteria (col. 8, line 25 - col. 9, line 10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wafer testing system, as taught by Chen et al. to include the hierarchical storing of criteria, as taught by Pellegrini et al., because then specific data would not need to be stored when irrelevant (Pellegrini et al., col. 8, line 67 - col. 9, line 10).

With regard to a wafer, as shown in claim 2, Chen et al. teach wafer testing (col. 3, lines 57-62).

Chen et al. do not teach hierarchical levels corresponding to logistical levels of the manufacturing process, as shown in claim 3. Pellegrini et al. teach hierarchical levels different parts of the semiconductor manufacturing (col. 8, lines 48-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wafer testing system, as taught by Chen et al. to include the hierarchical storing of criteria, as taught by Pellegrini et al., because then specific data would not need to be stored when irrelevant (Pellegrini et al., col. 8, line 67 - col. 9, line 10).

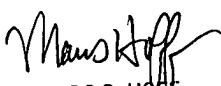
**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manuel L. Barbee whose telephone number is 571-272-2212. The examiner can normally be reached on Monday-Friday from 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mlb

  
MARC S. HOFF  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800